



**ALL INDIA  
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EXECUTIVES' ASSOCIATION  
CENTRAL HEADQUARTERS  
NEW DELHI**

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No. AIBSNLEA/CHQ/Pers./2012-13

Dated:29.05.2012

**To:**

**Shri A.K. Jain  
Sr. General Manager (Pers.)  
Bharat Sanchar Nigam Limited  
Corporate Office  
New Delhi-110 001.**

**Sub: Implementation of Time Bound Executive Promotion Policy for PAs/PSs of Kerala Circle – request for your kind intervention.**

Sir,

This is with reference to our discussions with you on 15.05.2012 in connection with proper implementation of Executive Promotion Policy for the PAs and PSs in Kerala Circle. As desired, a detailed note on the subject is annexed hereto for your kind perusal.

1. With the restructuring of the cadre of Stenographers w.e.f. 01.01.2004 , a new hierarchy was emerged for the Stenographers cadre in the field units viz. Steno (declared as dying cadre), PA in the pay scale of E1A and PSs in the pay scale of E2A. BSNL CO vide letter No. 25-5/2005-Pers.II dated 12.09.2005 extended the benefit of ACP Scheme in the new hierarchy, but was subsequently withdrawn vide letter dated 20.08.2007. However, the ACPS in the new hierarchy was restored by the CMD vide letter No. 15-70/2007-Pers.II dated 21.04.2009, after a personal hearing in compliance to the judgments of Kerala and Madras High Courts.

2. In order to bring parity with other Executive Cadres, BSNL vide OM No. 400-61/2004-Pers.I dated 24.08.2007 provided counting of residency period w.e.f. 01.10.2000 to the executives whose pay scales were upgraded/restructured after 01.10.2000. Accordingly, orders were issued by the CGMT, Kerala Circle, giving first time bound promotion under EPP to 94 PAs/PSs. However, these orders were subsequently withdrawn by CGMT, Kerala based on the clarification issued by the Corporate Office vide

order No. 15-84/2010-Pers-II dated 13.10.2010. This has resulted in huge recovery of Salary from the PAs/PSs. **This clarification was modified by Corporate Office vide No. 400-61/2004-Pers-I(pt.I) dated 23.08.2011 as per the recommendations of the committee set up for the purpose which has extended the benefit of counting of residency period for the Stenographers Grade-II and Grade-I w.e.f. 01.10.2000. With this clarification, the entire case in respect of PAs/PSs who have been granted 1<sup>st</sup> and 2<sup>nd</sup> ACP up to 30.09.2004 could have been settled, but the issue is yet to be resolved by the CGMT, Kerala.**

3. Vide Clause I (d)(8) of EPP, it was provided that with the implementation of IDA TIME BOUND pay scale upgradation scheme with effect from 01.10.2004, provisions with regard to arrangements like In-Situ/ACP or any other time bound promotion/upgradation scheme of Government set up shall stand withdrawn, unless permitted in any specific context. However, BSNL Corporate office is silent on the clause ***“shall stand withdrawn unless permitted in any specific context”*** in their subsequent clarifications, resulting retrospective effect of withdrawal of the already granted financial upgradation under ACP Scheme. The PAs, who have been granted ACP after 01.10.2004, but before 01.10.2006 should also be allowed to exercise the option based on this clause, since permission of the CMD was already conveyed for the same with the issue of ACP restoration order vide No. 15-70/2007-Pers.II dated 21.04.2009 in compliance to the judgments of Kerala and Madras High Court which fulfilled the condition of **“specific context”** to enjoy the benefits under this clause.

4. As per the clarifications issued by BSNL CO vide letter No. 20-08/2011-Pers.II dated 28.02.2011, the restructuring scheme introduced in the cadre of stenographers of BSNL field units is not to be treated as “promotion”. Hence the replacement scale granted in the revised restructured IDA pay scale with effect from 01.01.2004 to those PAs who have been granted 2<sup>nd</sup> financial upgradation prior to 01.10.2000 (on completion of 24 years regular service) cannot be treated as a promotion under EPP. Therefore, counting the residency period w.e.f. 01.10.2000 as ordered by BSNL CO, they should be granted 1<sup>st</sup> TBP under EPP w.e.f. 01.10.2000; i.e. for those PAs, the 1<sup>st</sup> TBP under EPP is due on 01.10.2006 to E3 scale, except for those who have been given regular promotion as PS between 01.01.2004 & 01.10.2006.

5. In view of the above, it is requested that necessary clarifications may kindly be issued to CGMT, Kerala to implement the EPP scheme in its true spirit.

With regards,

Yours Sincerely,

-sd-

**(PRAHLAD RAI)**  
**GENERAL SECRETARY**